

§ 1187.5

RURAL HEALTH SERVICES

Dir. 1

professionals in the designated areas to respond to rural manpower shortages.

(Added by Stats.1976, c. 1196, p. 5463, § 1. Amended by Stats.1978, c. 1331, § 4.)

Historical Note

The 1978 amendment deleted "rural" before "nurse practitioner" in subd. (9).

Administrative Code References

Types of assistance, see 22 Cal. Adm. Code 40217.

§ 1187.6. Funding of projects; continuation or termination; evaluation

Project funding shall be for one year at a time and continuation will depend on progress toward achieving the goals of the project. The director shall make the final decision to continue or discontinue a project. In evaluating the success of a project, the director shall take into account the number of additional persons who are receiving quality health care as a result of the operation of the project and the improvement in health status of the population served by the project.

(Added by Stats.1976, c. 1196, p. 5463, § 1.)

Cross References

Advance payment for services, see § 104.5.

§ 1187.7. Advisory committee

Each applicant shall form an advisory committee for the project. The advisory committee shall participate in all of the following:

- (a) Planning the project.
- (b) Reviewing the progress of the project.
- (c) Proposing changes in the project.
- (d) Planning for the continuation of the project after the grant period through self-sufficiency.

At least one-half of the members of the advisory committee shall be consumers, as defined by Public Law 93-641. The advisory committee shall include, where feasible, representatives of the health service agencies, the Seasonal Agricultural Workers Advisory Committee, consumers selected from rural target populations, such as native Americans, senior citizens, Medi-Cal recipients, isolated rural residents, and agricultural and forestry workers, providers from rural areas, and persons with knowledge of rural areas from educational institutions, and state, county, and federal agencies.

(Added by Stats.1976, c. 1196, p. 5463, § 1.)

42 U.S.C.A. § 300k et seq.

16

## § 321.2 HEALTH AND SAFETY CODE

Each community child health and disability prevention program shall, pursuant to standards set by the director, establish a record system which contains a health case history for each child so that costly and unnecessary repetition of screening, immunization and referral will not occur and appropriate health treatment will be facilitated as specified in Section 323.5.

(Amended by Stats.1978, c. 373, p. —, § 178.)

State and local responsibilities, see 17 Cal. Adm. Code 6824.

§ 323.7 Eligibility for services; rules and regulations specifying age groups for screening tests and recommendations for referral; sources of referral

Eligibility for services and reimbursement, see 17 Cal. Adm. Code 6830, 6822.

§ 324.2 School districts and private schools; information to parents or guardians of kindergarten children; withholding of average-daily-attendance funds

In cooperation with the county child health and disability prevention program, the governing body of every school district or private school which has children enrolled in kindergarten shall provide information to the parents or guardians of all children enrolled in kindergarten of the provisions of this article. Every school district or private school which has children enrolled in the first grade shall report by January 15 of each year to the county child health and disability prevention program, the State Department of Health Services, and the Department of Education the following information:

(a) The total number of children enrolled in first grade.

(b) The number of children who have had a health screening examination, as evidenced by the certificate required by Section 308.5.

(c) The number of children whose parents or guardian have given written % % % waiver pursuant to Section 323.5 that they do not want their child to receive a health screening examination.

Each county child health and disability prevention program shall reimburse school districts for information provided pursuant to this section. The Superintendent of Public Instruction may withhold state average-daily-attendance funds to any school district for any child for whom a certification or parental waiver is not obtained.

(Amended by Stats.1979, c. 370, p. —, § 179.)

### ARTICLE 3.6 GENETICALLY HANDICAPPED PERSON'S PROGRAM

§ 341. Establishment and administration; medical and social support services; rules and regulations; priorities

The State Director of Health Services shall establish and administer a program for the medical care of persons with genetically handicapping conditions, including cystic fibrosis, hemophilia, % % % sickle cell disease, Huntington's disease, Friedreich's Ataxia, and Joseph's disease.

The program shall also provide access to social support services, which may help ameliorate the physical, psychological, and economic problems attendant to genetically handicapping conditions, in order that the genetically handicapped person may function at an optimal level commensurate with the degree of impairment.

Such medical and social support services may be obtained through physicians, genetically handicapped person's program specialized % % % centers, and other providers that % % % qualify pursuant to the regulations of the department to provide such % % % services. "Medical care" as used in this section shall be limited to noncustodial medical and support services.

Underline indicates changes or additions by amendment

## HEALTH AND SAFETY CODE

§ 347

The director, with the guidance of the Advisory Committee on Genetically Handicapped Person's Program may, by regulation, expand the list of genetically handicapping conditions covered under this article. The director shall adopt such rules and regulations as are necessary for the implementation of the provisions of this article. The director, with the approval of the advisory committee, shall establish priorities for the use of funds and provision of services under this article.

(Amended by Stats.1979, c. 1155, p. —, § 2.)

1979 Legislation.

Section 1 of Stats.1979, c. 1155, p. —, provides:

"The Legislature finds and declares that the health care management problems of individuals suffering from chronic inherited degenerative illnesses have a cataclysmic and shattering emotional and financial impact on the patients and families afflicted.

"The Legislature further finds and declares that the health care delivery system

in the State of California lacks a full range of services and facilities matched to the needs of the chronically ill at all levels of disability. As a consequence, many families unable to afford the high cost of health care are forced to consider bankruptcy or divorce as their only alternatives.

"The Legislature, therefore, finds that in order to ease human suffering, maintain the family unit and encourage individuals to remain self-supportive, the state must assist in the provision of such services."

### § 342. Inclusions in program; medical and social support services

The program established under this article shall include any or all of the following medical and social support services:

- (a) Initial intake and diagnostic evaluation;
- (b) The cost of blood transfusion and use of blood derivatives, or both;
- (c) Rehabilitation services, including reconstructive surgery;
- (d) Expert diagnosis;
- (e) Medical treatment;
- (f) Surgical treatment;
- (g) Hospital care;
- (h) Physical and speech therapy;
- (i) Occupational therapy;
- (j) Special treatment;
- (k) Materials;
- (l) Appliances and their upkeep, maintenance, and care;
- (m) Maintenance, transportation, or care incidental to any other form of services;
- (n) Respite care or other existing resources (e. g., sheltered workshops);
- (o) Genetic and long-term psychological counseling;
- (p) Appropriate administrative staff resources to carry out the provisions of this article. Such staff shall include, but not be limited to, at least one case manager per each 250 clients.

(Amended by Stats.1979, c. 1155, p. —, § 3.)

### § 343. Advisory committee

The State Director of Health Services shall appoint an \* \* \* 11-member Advisory Committee on Genetically Handicapped Person's Program composed of professional and consumer representatives who shall serve without compensation and at the discretion of the director. The director shall seek the advice of the advisory committee with respect to rules and regulations to be adopted pursuant to this article.

(Amended by Stats.1979, c. 1155, p. —, § 4.)

### § 347. Uniform standards of financial eligibility; persons with family incomes exceeding \$100,000; repayment schedule

The state department shall establish, with the guidance of the advisory committee, uniform standards of financial eligibility for the services under the \* \* \* program \* \* \* established under this article.

Asterisks \* \* \* indicate deletions by amendment

## 42-675 INDIVIDUALS TO BE SERVED BY THE SAU (Continued)

42-675

334 For certified individuals who enter unsubsidized employment:

- (a) Necessary WIN purchased services shall continue for 30 days to a certified individual who enters unsubsidized employment. It is not required that the services be purchased from WIN supportive service funds if other sources are available, however.
- (b) WIN purchased services may continue for an additional 60 days at the discretion of the SAU when necessary to enable the registrant to remain employed.
- (c) Such services may continue even though the AFDC grant may have been terminated.

.34 WIN purchased services for working registrants.

.341 In special circumstances, working registrants who are not currently receiving WIN purchased services, may be provided day care services. Such services are limited as follows:

- (a) There has been a breakdown in day care due to unforeseeable circumstances. Changes in day care arrangements which can be anticipated, such as the end of the school year, are not considered exceptional circumstances; and
- (b) The failure to provide the day care would result in the loss of existing employment; and
- (c) Provision of day care would enable the registrant to continue employment; and
- (d) The services are not available on a timely basis from Title XX or any other source.

.342 Under special circumstances WIN purchased services other than day care may also be provided.

.343 Provision of the WIN purchased services under this section is limited to a maximum of 30 days.

.344 This service may not be used as a means of automatically extending the usual duration of WIN purchased services.

.345 If the individual is uncertified when the need for the service arises, the SAU is to initiate the certification.

#### 4 Title XX Services or Services From Other Sources

- .41 At times, the registrant or a member of his/her family may require services which cannot be paid for from WIN supportive services funds or which cannot be provided by the SAU worker. In such instances, the SAU worker should make every effort to arrange for such services to be provided from available Title XX or other service programs.

1(m)

42-675 INDIVIDUALS TO BE SERVED BY THE SAU (Continued)

42-675

.33 WIN purchased services are available to all certified registrants. The duration of such purchased services is limited however, as follows:

.331 Individuals in WIN components.

- (a) Necessary WIN purchased services shall continue for the duration of the components, except for WIN/OJT, WIN/PSE components, and suspense to CETA/OJT, and CETA/PSE, even though the AFDC benefits have been terminated.
- (b) When a certified individual enters WIN/OJT, WIN/PSE, CETA/OJT, or CETA/PSE, necessary supportive services shall continue for a period of 30 days after the start of subsidized employment even though the AFDC benefits have been terminated.
- (c) When the SAU determines it is necessary to enable the registrant to remain in the component, they may authorize the continuation of such services for an additional 60 days even after AFDC benefits have been terminated.

.332 Certified registrants between components.

WIN purchased services may be provided for up to two weeks to a registrant between participation in WIN components or between participation in one component and the start of employment in order to avoid interruption of the employability process.

.333 Certified registrants, unassigned to any component.

WIN purchased services may be provided to certified registrants when required to enable the individual to accept training or employment.

1 (n)

**42-675 INDIVIDUALS TO BE SERVED BY THE SAU**

**42-675**

**.1 General**

- .11 The SAU provides services to WIN registrants and their families, when such services are necessary to enable the registrant to accept employment or participate in the WIN program.

Subject to further limitations, registrants can be:

- (a) AFDC applicants.
- (b) Certified or uncertified AFDC recipients.
- (c) Discontinued AFDC recipients who remain in WIN components.

- .12 The supportive services to be provided are those specified under Section 42-680.

These are provided in two ways:

- (a) **Staff Services** — which are those services provided by the SAU worker, such as counseling; and
- (b) **WIN Purchased Services** — which are those services purchased using WIN supportive service funds.

Whether an individual can receive WIN purchased services and the duration of any such services depends upon:

- (1) Whether he/she is an applicant or recipient.
- (2) Whether he/she is certified or uncertified.

**.2 Staff Services**

- .21 Staff services are those services provided by the SAU worker. They include any of the services outlined in Section 42-680 as well as the SAU staff time spent in arranging for WIN purchased services or services to be provided from Title XX or any other available sources.
- .22 Staff services can be provided to all registrants and their families. This includes all applicant registrants, certified and uncertified registrants, and all registrants in a WIN component (participants) even though AFDC benefits may have been terminated.

**.3 WIN Purchased Services**

- .31 WIN purchased services are services arranged by the SAU worker, but not actually provided by the SAU worker. WIN purchased services are paid for from WIN supportive service funds.
- .32 In order to provide a WIN purchased service, it is required that the service be necessary to enable a registrant to accept and retain employment or training for employment.

WIN purchased services are not available to applicants.

WIN purchased services are not available to an uncertified registrant recipient.

If a WIN purchased service is necessary in order to complete certification and enable the uncertified registrant to accept employment or training for employment the individual must be certified and then the service provided.

16m

**42-678 REFUSAL TO ACCEPT SERVICES**

**42-678**

**.1 Certified Mandatory Registrants**

- .11 A Certified Mandatory Registrant may not refuse supportive services if the refusal prevents the individual from accepting an appropriate work or training assignment. Refusal of such services require that a cause determination be made. Such determinations are made by WIN.
- .12 The Certified Mandatory Registrant is not required to accept any other supportive services as a condition of eligibility.

**.2 All Others**

All other registrants may accept or refuse to accept WIN supportive services.

**42-680 MANDATED SUPPORTIVE SERVICES**

**42-680 |**

Supportive Services are social services provided to WIN registrants necessary to enable the registrant to accept employment or participate in WIN, including such services as are necessary to remove or reduce barriers to employment. Mandated services to be provided include: day care, family planning, counseling, employment related medical and remedial care, and selected vocational rehabilitation services.

**.1 Child Day Care Services**

- .11 Definition. Child day care is the comprehensive and coordinated sets of activities providing direct care and protection of infants, preschool and school age children during a portion of a 24-hour day inside or outside of the child's own home.

**.12 Child Day Care Standards**

Child day care arrangements provided through WIN must meet the same standards as are required under Title XX.

**.13 Child Day Care Plans**

A child day care plan is a written agreement between the SAU, the provider, and the WIN certified registrant which comprehensively describes for whom and under what specific circumstances child day care will be provided.

There must be a written plan for each certified registrant who receives WIN-funded child day care. This plan will include the following information:

- a. The name, address, and case number of the WIN certified registrant.
- b. Case name, if different from the above.
- c. Date the plan is initiated.
- d. Name, birthdate, and sex of child(ren) for whom care is being provided.
- e. The component in which the registrant will participate.
- f. The duration of the component (beginning and ending dates).
- g. The type of care being provided, i.e., in-home, family day care, group day care, or day care center.

1(n)

**42-680 MANDATED SUPPORTIVE SERVICES (Continued)**

**42-680**

- h. Beginning and ending dates of provision of care.
- i. Number of hours of care, e.g., 7:30 a.m. to 3:30 p.m., including normal transportation time.
- j. Total number of hours per week.
- k. Name and address of provider.
- l. Signatures of SAU, the certified registrant, and the provider.
- m. Rate of pay per hour, week or month.
- n. Conditions under which provider will be paid or not paid for absences.

The SAU signature on the child day care plan is the instrument which authorizes expenditure of WIN child day care funds. A copy of the signed plan should be sent to the IMU.

- .131 The SAU should explain to registrants the type of day care available, the suitability of each type of care in relation to the needs of the children, the importance of stability and continuity of care, the length of time WIN-funded day care payments can continue and the availability of Title XX or other day care after WIN-funded care ends.
- .132 The certified registrant should be involved in the development of a suitable day care plan which may include plans for emergency or interim care as well as for long-term, stable day care.
- .133 If there is more than one type of day care available, the mother or other caretaker relative may choose among them.
- .134 A certified registrant may not refuse the available care unless he/she can arrange for other day care that is no more expensive to the county or WIN and can show that such refusal will not prevent or interfere with WIN participation.
- .135 In the case of day care provided at no cost to the WIN program, the SAU worker should discuss the care arrangement with the WIN registrant to determine its potential stability and suitability. Each case folder should contain documentation confirming that the client has obtained his or her own suitable day care. Such documentation may consist of the SAU worker's narrative report in the case record.
- .136 As part of the planning process, the SAU should stress the importance of the registrant's informing the SAU immediately if the day care plan breaks down.



1(m)

**42-680 MANDATED SUPPORTIVE SERVICES (Continued)**

**42-680**

**.14 Criteria for Child Day Care Plans**

In developing plans for suitable day care services, the following factors should be considered:

- .141 Accessibility to the child's home and school;
- .142 Convenience for the registrant and suitability of the hours of the day care with respect to the registrant's schedule; and
- .143 Appropriateness of the plan to the age and special needs of the child.

**.15 Emergency Day Care Services**

- .151 The SAU is responsible for providing or arranging for temporary, emergency day care services when (1) no immediate and permanent arrangement is possible, or (2) care is needed for a short-term period, or (3) an emergency situation arises, disrupting the established day care plan, such as the illness of the provider or child or the unavoidable absence of the provider.
- .152 Emergency care is not a substitute for long-term care. It should be provided only until a permanent day care plan can be established or the regular plan can be resumed. If possible, no child should be placed in an emergency care arrangement for more than ten continuous days at any one time. During this period, permanent day care arrangements should be developed.
- .153 Emergency day care arrangements should meet the same standards as regular day care arrangements.

**.16 Child Day Care Costs**

- .161 If a registrant declines to accept day care services arranged by the SAU and prefers to make other arrangements, WIN supportive service funds may be used to pay for such alternative arrangements if the arrangement will not be more costly than the WIN arrangement, if the alternative will not conflict with the registrant's participation in WIN, and if the arrangements meet the standards of Section 42-680.12.
- .162 All child day care costs for participants are paid from WIN child day care funds following the limitations set forth in Section 42-675.33. Such costs shall be paid on the basis of a monthly claim submitted by the certified registrant or by the provider to the county welfare department. This claim shall be signed by both the certified registrant and the provider. The payment shall not exceed those agreed upon in the child day care plan and, (upon receipt of the expense claim), shall be adjusted to meet the actual allowable expense incurred.
- .163 Costs of the transportation to and from day care locations of a child of a certified registrant may be charged to WIN manpower funds as part of the transportation allowance to and from the employment or training.

1(n)

**42-680 MANDATED SUPPORTIVE SERVICES (Continued)**

**42-680**

.163 (Continued)

WIN manpower funds are paid by EDD for those participants in non-waged components. Transportation costs are allowed as a work-related expense. Transportation costs for participants in waged components are allowed as a work-related expense deducted from the income. See EAS Section 44-113.241 (d).

.164 WIN will pay for child care when the child is temporarily absent from care if it is agreed upon in the child day care plan. Payment may be made for temporary absences for only the following verified reasons:

- (a) illness or quarantine of the child,
- (b) illness or quarantine of the parent,
- (c) family emergency, and
- (d) court ordered visits with a parent or other relative by the child.

.17 Child Care Provided by State Department of Education Contract Centers

.171 WIN child day care funds are used to pay for WIN child(ren) care in SDE Contract Centers that meet Title XX standards.

.172 The SDE Center must be notified that the child(ren) is provided for by WIN and how long WIN will pay for such care. Submitting a copy of the child day care plan will accomplish this purpose. If the parent drops out of or completes the WIN component, the center must be notified so that it will not continue to bill WIN for child care.

.173 The rates in SDE Centers are the actual program costs of the center. The maximum reimbursement rate is established in the State Budget Act.

WIN counties are required to pay the maximum reimbursement rate or actual operating costs, whichever is less, for WIN children in SDE Centers.